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Crl.M.P.No.16621 of 2024
in Crl.A.No.1478 of 2024

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N.SESHASAYEE, J.

The 1st Petitioner / 1st appellant / A1 was convicted for the offences U/s.7 and Section 13(2) r/w 13(1)(d) of the Prevention of Corruption Act, 1988, and sentenced to undergo three (3) years R.I. and to pay a fine of Rs.10,000/- in default to undergo six (6) months S.I. for offence U/s.7 of the Prevention of Corruption Act, 1988, and sentenced to undergo three (3) years R.I. and to pay a fine of Rs.10,000/- and in default to undergo six (6) months S.I. for offences U/s.13(2) r/w 13(1)(d) of Prevention of Corruption Act, 1988. The 2nd Petitioner / 2nd appellant / A2 was convicted for the offences U/s.12 of the Prevention of Corruption Act, 1988, and sentenced to undergo three (3) years R.I. and to pay a fine of Rs.20,000/- in default to undergo six (6) months S.I. for offence U/s.12 of the Prevention of Corruption Act, 1988, by the learned Special Judge / Chief Judicial Magistrate, Thiruvallur, under judgment in Special Case No.1 of 2018 dated 29.10.2024. Hence, the petitioners seek suspension of sentence.



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2. The learned counsel for petitioners submits that the trial Court has suspended the sentence imposed on the petitioners temporarily till 29.11.2024 and the petitioners are in bail now. The learned counsel further submits that there are several infirmities and inconsistencies found in the prosecution case and there are contradictions in the material particulars between the evidence of the prosecution witnesses.

3. Heard Mr.K.M.D.Muhilan, the learned Government Advocate (Crl. Side) and the learned counsel appearing for the petitioners.

4. Considering the facts and circumstances of the case and in view of the fact that there are several infirmities in the prosecution case and there are arguable points involved in the appeal, as contended by the learned counsel for petitioners and that the appeal is not likely to be taken up for final hearing in the near future, this Court is of the considered view that the petitioners herein is entitled to the relief of grant of suspension of sentence.



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5. The substantive sentence of imprisonment alone is suspended accordingly, and the petitioners are directed to be enlarged on bail on condition that the petitioners shall separately execute a bond for a sum of Rs.10,000/- (Rupees ten thousand only) each with two sureties each for a like sum to the satisfaction of the learned Special Judge / Chief Judicial Magistrate, Thiruvallur, and on further condition that the petitioners shall appear before the said Court on the first working day of every English Calender month at 10.30 a.m. until further orders.

27.11.2024
(2/2)

Note to office: Issue order copy on 27.11.2024



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